

1Fn DAC

Docket No. F-8592

Mail Stop PCT Legal



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Koji OGATA, et al.  
Serial No. : 10/524,620  
Filed : March 17, 2005  
For : CONTINUOUS CASTING OF MOLTEN STEEL  
FOR SHEET METAL  
Group Art Unit : 1725  
Examiner : UNKNOWN  
Confirmation No. : 1484  
Customer No. : 000028107

**BY HAND DELIVERY**

**ATTN: MR. RAFAEL BACARES**

MAIL STOP PCT LEGAL  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 35 U.S.C. 1.181  
TO REVIVE AN UNAVOIDABLY ABANDONED  
APPLICATION THROUGH NO FAULT OF THE APPLICANT**

Sir:

A Notice of Abandonment was issued on July 14, 2006 indicating that this application was abandoned because of failure to respond to the Notice of Missing Parts mailed August 26, 2005. However, as applicant will document hereinafter, the required response to satisfy the Notice of Missing Parts mailed August 26, 2005 was timely filed on March 17, 2005, before the mailing date of the Notice of Missing Parts.

Applicant therefore request reinstatement of the above-identified patent application and are enclosing copies of the following DOCUMENTS:

DOCUMENT (A): Postal receipt card (front and back) stamped "DT03  
Rec'd PCT/PTO 17 March 2005" as applicable to  
applicant's Docket No. F-8592, Serial No. 10/524,620;

DOCUMENT (B): Copy of the United States Express Mail Label EV 585  
006 447 US with postal stamp dated March 17, 2005,  
as applicable to applicant's Docket No. F-8592 which  
corresponds to applicant's Serial No. 10/524,620;

DOCUMENT (C): Copy of DOCUMENTS submitted to PTO on August 2, 2006, May 2, 2007, and on January 15, 2008;

DOCUMENT (D): Submission of Declaration dated March 17, 2005 plus copy of the Declaration signed by the inventors.

Applicant previously filed on May 14, 2008 a Petition Under 35 U.S.C. 1.181 to Revive an Unavoidable Abandoned Application Through No Fault of the Applicant. Attached hereto is a copy of such Petition dated May 14, 2008 (which includes 22 pages) and which is identified as DOCUMENT (E).

Also enclosed is applicant's facsimile transmittal report, labeled DOCUMENT F, indicating that the aforementioned Petition, DOCUMENT (E), was faxed to the U.S. Patent Office at fax number 1-571-273-0459 on May 14, 2008 at 14:55 and that 22 pages were sent and the transmittal report indicated that the transmittal was "OK".

It is necessary at this time to call to the attention of the Patent Office another Reference U.S. application. This other Reference U.S. application is U.S. Serial No. 10/524,621 and differs from the instant application in that the last digit of the Serial

Number of the Reference U.S. application is “1” instead of “0”. The following is a comparison chart between the instant application Serial No. 10/524,620 and the aforementioned Reference application Serial No. 10/524,621.

**COMPARISON CHART**

	Instant U.S. Application	Reference U.S. Application
Attorney Docket No.	F-8592	F-8591
Serial No.	10/524,620	10/524,621
Filing Date	March 17, 2008	March 17, 2008
Inventors	Koji OGATA et al.	Koji OGATA et al.
Group Art Unit	1725	1725
Date Petition to Revive Filed	May 14, 2008 (DOCUMENT E)	May 14, 2008 (DOCUMENT G)
Number of pages of Petition	22	22
Time of day Petition transmitted to USPTO by fax	<u>14:55</u> (DOCUMENT F)	<u>14:53</u> (DOCUMENT H)
Petition to revive directed to the attention of	Mr. Rafael Bacares	Mr. Rafael Bacares

Applicant filed a Petition Under 35 U.S.C. 1.181 to Revive an Unavoidably Abandoned Application Through no Fault of the Applicant in Reference application Serial No. 10/524,621 on May 14, 2008. Enclosed is a copy of this latter Petition labeled DOCUMENT (G).

Also attached hereto is applicant's facsimile transmittal report labeled DOCUMENT (H) indicating that the aforementioned Petition, DOCUMENT (G), was faxed to the USPTO at fax number 1-571-273-0459 on May 14, 2008 at 14:53 and included 22 pages. DOCUMENT(G) was faxed to the USPTO two minutes earlier than DOCUMENT (E).

Also attached hereto as DOCUMENT (I) is a USPTO Bibliographic data sheet (obtained from the USPTO PAIR system) for the instant application Serial No. 10/524,620 wherein there is no indication of any receipt of any Petition (DOCUMENT (G)) on May 14, 2008 or May 15, 2008.

Also attached hereto as DOCUMENT (J) is a USPTO Bibliographic data sheet (obtained from the USPTO PAIR System) for the Reference application Serial No. 10/524,621 wherein there is indication of receipt on May 15, 2008 of a

“PETITION FOR REVIVE AND PROCESSING BY THE PCT LEGAL OFFICE”  
consisting of 48 pages.

It is noted that on the first page of DOCUMENT (G), there is a stamp  
reading:

RECEIVED

May 15, 2008

PCT LEGAL  
ADMINISTRATION

To the contrary, in DOCUMENT (E), there is no USPTO stamp at all.

It appears to applicant that even though applicant filed by fax two Petitions to Revive (DOCUMENT (E) and DOCUMENT (G)), minutes apart, for two different applications, and applicants fax transmittal report, DOCUMENT (F) and DOCUMENT (H), indicated two satisfactory transmittal reports, one for each Petition (DOCUMENT (E) and DOCUMENT (G)), that to the contrary, the USPTO treated the two Petitions (DOCUMENT (E) and DOCUMENT (G)) as one Petition as indicated by the fact that the USPTO PAIR SYSTEM Bibliographic Data Sheet (DOCUMENT (I)) shows no receipt by the USPTO of any Petition on May 14 or 15, 2008, whereas the USPTO PAIR SYSTEM Bibliographic Data Sheet (DOCUMENT (J)) shows a receipt of 48 pages of a Petition on May 15, 2008 which is

approximately the total number of pages for the two Petitions (DOCUMENT (E) and DOCUMENT (G)) that were filed (faxed to the USPTO) minutes apart. To the contrary, DOCUMENT (E) only included 22 pages and DOCUMENT (G) only included 22 pages.

It is respectfully requested that the Petition Examiner handling this Petition confirm the above by reviewing the USPTO PAIR System for the instant application and for the Reference application. It is respectfully submitted that the USPTO PAIR System shows that the Petition (DOCUMENT E) for the Instant application was incorrectly placed in the Reference application Serial No. 10/524,621 instead of the correct application Serial No. 10/524,620.

After receipt of the Notice of Abandonment dated July 14, 2006 applicant telephoned Ms. Mamie P. Person (Tel. No. (703) 308-9140 ext 227) at the USPTO on August 1, 2006 and informed Ms. Person that a Declaration/Power of Attorney was filed by Express Mail in the USPTO on March 17, 2005 along with a postal receipt card. Applicant also informed Ms. Person that applicant had a copy of the Express Mail label date stamped by the U.S. Postal Office on March 17, 2008 and a postal receipt card stamped by the USPTO on March 17, 2005 (see copies thereof in DOCUMENT (C)).

Applicant was informed by Ms. Person to submit the Express Mail label, the postal receipt card, the Notice of Abandonment and the Declaration/Power of Attorney signed by all inventors to her by facsimile. All the required documents were faxed to Ms. Person on August 2, 2006 and copies thereof are included in DOCUMENT (C).

Applicant again contacted Ms. Person on May 2, 2007 regarding the status of this application where she informed us to re-submit the documents previously sent to her on August 2, 2006. Upon her instructions, applicant re-submitted (for the second time) all documents faxed to Ms. Person on August 2, 2006 and these re-submitted documents were indicated as received on May 2, 2007 by the PTO PAIR System.

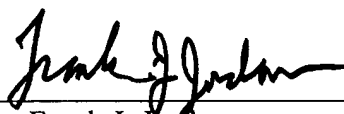
A third telephone call was placed to Ms. Person on January 15, 2008 regarding the status of this application and she again informed us she must have misplaced the paperwork because she did not have them and requested that the copies be faxed again to her for the third time and copies these thrice submitted documents which were faxed to the Patent Office on January 15, 2008 are included in DOCUMENT (C).



No fee is believed due because the abandonment did not result from any fault of the applicant as the enclosed DOCUMENTS prove. Therefore, the Petition is being filed Under 37 CFR 1.181. However, in the alternative, if the Petition is considered to be filed Under 37 CFR 1.137(a), if there is any fee due the USPTO is hereby authorized to charge such fee to Deposit Account No. 10-1250.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By   
Frank J. Jordan  
Reg. No. 20,456  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340  
FJJ/cj  
Enc. Enclosures (A) to (J) as listed below

DOCUMENT (A): Postal receipt card (front and back) stamped "DT03  
Rec'd PCT/PTO 17 March 2005" as applicable to  
applicant's Docket No. F-8592, Serial No. 10/524,620;

DOCUMENT (B): Copy of the United States Express Mail Label EV 585 006 447 US with postal stamp dated March 17, 2005, as applicable to applicant's Docket No. F-8592 which corresponds to applicant's Serial No. 10/524,620;

DOCUMENT (C): Copy of cover page listing documents submitted to PTO on August 2, 2006, May 2, 2007, and on January 15, 2008;

DOCUMENT (D): Submission of Declaration dated March 17, 2005 plus copy of the Declaration signed by the inventors.

DOCUMENT (E): Copy of Petition previously filed on May 14, 2008 Under 35 U.S.C. 1.181 to Revive an Unavoidable Abandoned Application (Serial No. 10/524,620) Through No Fault of the Applicant which includes 22 pages.

DOCUMENT (F): Copy of applicant's facsimile transmittal report indicating that the aforementioned Petition

(DOCUMENT (E)) was faxed to the U.S. Patent Office at fax number 1-571-273-0459 on May 14, 2008 at 14:55 and that 22 pages were sent and the transmittal report indicated that the transmittal was “OK”.

DOCUMENT (G): Copy of Petition Under 35 U.S.C. 1.181 to Revive an Unavoidably Abandoned Application Through no Fault of the Applicant in Reference application Serial No. 10/524,621 on May 14, 2008.

DOCUMENT (H): Copy of applicant's facsimile transmittal report indicating that the aforementioned Petition (DOCUMENT (G)) was faxed to the USPTO at fax number 1-571-273-0459 on May 14, 2008 at 14:53 and that 22 pages were sent and the transmittal report indicated that the transmittal was “OK”.

DOCUMENT (I): Copy of USPTO Bibliographic data sheet dated August 5, 2008 (obtained from the USPTO PAIR

system) for the instant application Serial No. 10/524,620 wherein there is no indication of any receipt of any Petition (DOCUMENT (G)) on May 14, 2008 or May 15, 2008.

DOCUMENT (J): Copy of USPTO Bibliographic data sheet dated August 12, 2008 (obtained from the USPTO PAIR System) for the Reference application Serial No. 10/524,621 which shows receipt on May 15, 2008 of a “PETITION FOR REVIVE AND PROCESSING BY THE PCT LEGAL OFFICE” consisting of 48 pages.



Docket No. F-8592

Serial No. 101524620

CBH ☐ FJJ ☒

The date stamp of the Patent Office hereon may be considered as the date on which papers indicated below were received.

New Application	<input type="checkbox"/>	Dec./Power of Att.	<input checked="" type="checkbox"/>
RCE	<input type="checkbox"/>	Assignment	<input type="checkbox"/>
Supplemental Amendment	<input type="checkbox"/>	Priority Document	<input type="checkbox"/>
Preliminary Amendment	<input type="checkbox"/>	IDS/IDC	<input type="checkbox"/>
English Translation App.	<input type="checkbox"/>	Notice of Appeal	<input type="checkbox"/>
Marked Specification	<input type="checkbox"/>	Appeal Brief	<input type="checkbox"/>
Substitute Specification	<input type="checkbox"/>	Issue Fee	<input type="checkbox"/>
Letter to Draftsman/Drawings	<input type="checkbox"/>	Statement of Use	<input type="checkbox"/>
Resp. to O.A.	<input type="checkbox"/>	Section 8 and	<input type="checkbox"/>

Date of Doc. being mailed: 3/17/05  
(Patent Office. Please stamp and return to addressee on reverse side.)

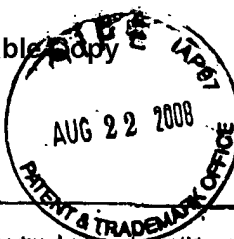
**DT03 Rec'd RET/PTO 17 MAR 2005**



JORDAN AND HAMBURG LLP  
122 EAST 42ND STREET  
NEW YORK, NEW YORK 10168



(A)



EV 585006447 US

Customer Care  
Label 11-F, Apr

UNITED STATES POSTAL SERVICE

Post Office To Address

## ORIGIN (POSTAL SERVICE USE ONLY)

RO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Day	Postage \$
Date Accepted	Scheduled Date of Delivery	Return Receipt Fee \$
Mo. Day Year	Months Day	Insured Fee \$
Time Accepted <input type="checkbox"/> AM <input type="checkbox"/> PM	Scheduled Time of Delivery	Insurable Pkg \$
	<input type="checkbox"/> Next <input type="checkbox"/> AM <input type="checkbox"/> PM	Total Postage & Fees \$
Flat Rate <input type="checkbox"/> or Weight		

## DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

## CUSTOMER USE ONLY

FROM (Please print) **JORDAN S. HAMBURG, LLP**  
 122 E 42ND ST RM 4000  
 NEW YORK NY 10168

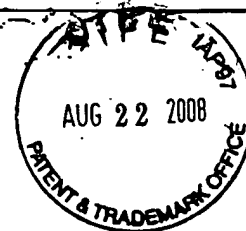
TO (Please print) **MAIL STOP PC  
 COMMISSIONER FOR PATENTS  
 PO BOX 1450  
 ALEXANDRIA VA 22313-1450**



F-8592, F-8591, F-8590

FOR PICKUP OR TRACKING: Visit [WWW.USPS.COM](http://WWW.USPS.COM) or Call 1-800-222-1811

\*\*\*\*\*  
 \*\*\* TX REPORT \*\*\*  
 \*\*\*\*\*



TRANSMISSION OK

TX/RX NO 2693  
 RECIPIENT ADDRESS 15712709985  
 DESTINATION ID  
 ST. TIME 08/02 10:57  
 TIME USE 07'20  
 PAGES SENT 22  
 RESULT OK

JORDAN AND HAMBURG LLP  
 Chanin Building  
 122 East 42nd Street  
 Suite 4000  
 New York, NY 10168

Telephone: (212) 986-2340  
 Facsimile: (212) 953-7733

### FACSIMILE COVER SHEET

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Mamie P. Person  
 Fax No. : (571) 270-9985  
 FROM : Cecilia Sevilla/Frank J. Jordan  
 DATE : August 2, 2006  
 Re. : Notice of Abandonment for:  
 Serial No. 10/524,621  
 Our Ref.: F-8591  
 and  
 Serial No. 10/524,620  
 Our Ref.: F-8592

As per our telephone conversation of August 1, 2006, enclosed please find the following copies:

- 1) Express Mail Label EV 585 006 447 US;



\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO 1963  
RECIPIENT ADDRESS 15712709985  
DESTINATION ID  
ST. TIME 05/02 11:34  
TIME USE 03'23  
PAGES SENT 24  
RESULT OK

JORDAN AND HAMBURG LLP  
Chanin Building  
122 East 42nd Street  
Suite 4000  
New York, NY 10168

Telephone: (212) 986-2340  
Facsimile: (212) 953-7733

### FACSIMILE COVER SHEET

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Mamie P. Person  
Fax No. : (571) 270-9985  
FROM : Cecilia Sevilla/Frank J. Jordan  
DATE : August 2, 2006  
Re. : Notice of Abandonment for:  
Serial No. 10/524,621  
Our Ref.: F-8591  
and  
Serial No. 10/524,620  
Our Ref.: F-8592

Re-faxed  
May 2, 2007

As per our telephone conversation of August 1, 2006, enclosed please find the following copies:

- 1) Express Mail Label EV 585 006 447 US;

(C)



JORDAN AND HAMBURG LLP

Chanin Building  
122 East 42nd Street  
Suite 4000  
New York, NY 10168

Telephone: (212) 986-2340

Facsimile: (212) 953-7733

FACSIMILE COVER SHEET

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Mamie P. Person  
Fax No. : (571) 270-9985  
FROM : Cecilia Sevilla/Frank J. Jordan  
DATE : August 2, 2006  
Re. : Notice of Abandonment for:  
Serial No. 10/524,621  
Our Ref.: F-8591  
and  
Serial No. 10/524,620  
Our Ref.: F-8592

Re-faxed  
May 2, 2007

Re-faxed  
January 15, 2008



As per our telephone conversation of August 1, 2006, enclosed please find the following copies:

- 1) Express Mail Label EV 585 006 447 US;
- 2) Postal Receipt card (front and back) for each application stamped, March 17, 2005, by the U.S. Patent and Trademark Office indicating that the Declaration/Power of Attorney was received in the PCT/PTO;
- 3) Copy of Declaration/Power of Attorney for each application listed above; and
- 4) Copy of Notice of Abandonment for each application.

If you should have any questions, please contact me at the above telephone number. Thank you.

We are sending 22 pages (including this cover sheet). Please call (212) 986-2340 immediately if transmission is interrupted or of poor quality.



**JORDAN AND HAMBURG LLP**

Chanin Building  
122 East 42nd Street  
New York, NY 10168

Telephone: (212) 986-2340  
Facsimile: (212) 953-7733  
**FACSIMILE COVER SHEET**

---

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

---

TO	:	Ms. Mamie Person
FAX NO.	:	(571) 270-9985
FROM	:	Cecilia Sevilla / Frank J. Jordan
DATE	:	January 15, 2008

Re:	Docket No.	:	F-8592
	Serial No.	:	10/524,620
	Filed	:	March 17, 2005
	For	:	CONTINUOUS CASTING OF MOLTEN STEEL FOR SHEET METAL.

As per our telephone conversation of today, January 15, 2008, enclosed are copies of our fax dated August 2, 2006.

We are sending 15 page(s) (including this cover sheet). Please call (212) 986-2340 immediately if transmission is interrupted or of poor quality.

(C)

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO 4972  
RECIPIENT ADDRESS 15712709985  
DESTINATION ID  
ST. TIME 01/15 16.30  
TIME USE 01'47  
PAGES SENT 15  
RESULT OK

**JORDAN AND HAMBURG LLP**

Chanin Building  
122 East 42nd Street  
New York, NY 10168

Telephone: (212) 986-2340

Facsimile: (212) 953-7733

**FACSIMILE COVER SHEET**

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Ms. Mamie Person  
FAX NO. : (571) 270-9985  
FROM : Cecilia Sevilla / Frank J. Jordan  
DATE : January 15, 2008

Re: Docket No. : F-8592  
Serial No. : 10/524,620  
Filed : March 17, 2005  
For : CONTINUOUS CASTING OF MOLTEN STEEL FOR  
SHEET METAL

As per our telephone conversation of today, January 15, 2008, enclosed are copies of our fax dated August 2, 2006.

We are sending 15 page(s) (including this cover sheet). Please call (212) 986-2340

C

F-8592

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Koji OGATA, et al.  
Serial No. : 10/524,620  
For : CONTINUOUS CASTING OF MOLTEN STEEL.  
FOR SHEET METAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

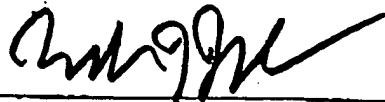
SUBMISSION OF DECLARATION

Sir:

The application was filed without a declaration and the declaration is submitted herewith. Please charge the \$130.00 government fee for late filing of the declaration to Deposit Account 10-1250. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,  
Jordan and Hamburg LLP

By



Frank J. Jordan  
Reg. No. 20,456  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340

Express Mail mailing label No. EV 585006447 US  
Date of Deposit: March 17, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Evelis Otero

(D)

DECLARATION OF POWER OF ATTORNEY

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

Docket No. F-8592

As a below named inventor, I hereby declare that:

下記指名発明者として、私は以下の通り宣言します。

My residence, post office address and citizenship are as stated next to my name.

私の住所、郵便の宛先、国籍は下記の私の氏名の後に記載された通りです。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

下記の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者(下記の氏名が一つの場合)もしくは最初かつ共同発明者(下記の名称が複数の場合)であると信じます。

CONTINUOUS CASTING OF MOLTEN STEEL FOR SHEET METAL

the specification of which is attached hereto unless the following box is checked

上記発明の明細書(右に x 印がついていない場合は、本書に添付)は、 ☒

was filed on:

August 22, 2003

右の日付で

as United States Application Number or PCT International Application Number

下記米国出願番号または特許協定条約国際出願番号として提出され、

PCT/JP2003/010673

and was amended on (if applicable):

(該当する場合)右の日付に補正されました。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、特許請求範囲を含む上記明細書、及び該当する場合は上記補正を確認し、内容を理解していることをここに表明します。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

私は、連邦規則法典第37編 第1条56項に定義されたとおり、特許資格の有無について関連ある情報を開示する義務があることを認めます。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

私は、米国法典第35編 119条(a)-(d)項又は365条(b)項に基づき下記の、米国以外の国の少なくとも一カ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を、以下に枠内をマークすることで、示しています。

Prior Foreign Application(s)

外国での先行出願

Priority Not Claimed

優先権主張なし

<u>2002-242731</u>	<u>Japan</u>	<u>22 August 2002</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	

I hereby claim the benefit under Title 35, United States Code, Section 119(a) of any United States provisional application(s) listed below.

私は、米国法典第 35 編 119 条 (a) 項に基づいて、下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.)

(出願番号)

(Filing Date)

(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the application.

私は、米国法典第 35 編 120 条又は特許協力条約 365 条(c)に基づいて、下記の米国特許出願又は米国を指定している PCT 国際出願に基づく権利をここに主張します。又、本出願の各請求範囲の内容で、米国法典第 35 編 112 条第 1 項で規定された方法で、先行する米国特許出願又は PCT 国際出願に開示されないものに関して、連邦規則法典第 37 編 1 条 56 項で定義された特許資格の有無に関連する情報の、その先行米国出願提出日から本出願の日本国内提出日または PCT 国際出願提出日までの期間中に公開されたものについて、開示義務があることを認識します。

(Application No.)

(出願番号)

(Filing Date)

(出願日)

(Status: Patented/Pending /Abandoned)

(現況: 特許許可済、係属中、放棄済)

(Application No.)

(出願番号)

(Filing Date)

(出願日)

(Status: Patented/Pending /Abandoned)

(現況: 特許許可済、係属中、放棄済)

(Application No.)

(出願番号)

(Filing Date)

(出願日)

(Status: Patented/Pending /Abandoned)

(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on Information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 in the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

私は、自身の知識に基づいて、本宣誓書中で行う表明が真実であり、かつ私の入手した情報と私の信じるところに基づく弁明が全て真実であると信じること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第 18 編第 1001 条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣言致します。

### POWER OF ATTORNEY:

#### 委任状

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

私は指名発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁護士または代理人として、下記の者を指名いたします。(弁護士、または代理人の氏名及び登録番号を明記のこと)

Frank J. Jordan	Reg. No. 20,456
C. Bruce Hamburg	Reg. No. 22,389
Herbert F. Ruschmann	Reg. No. 35,341
Jacqueline M. Steady	Reg. No. 44,354
Lawrence Wechsler	Reg. No. 36,049
Marvin Turken	Reg. No. 18,830
Alfred D'Andrea	Reg. No. 27,752

Send Correspondence to:

書類送付先

Jordan and Hamburg LLP  
122 East 42<sup>nd</sup> Street  
New York, New York 10168

Direct Telephone Calls to: (name and phone number)

電話連絡先 (名前及び電話番号)

Frank J. Jordan  
(212) 986-2340



唯一または第一発明者 Full name of sole or first inventor	Koji OGATA
発明者署名 / 日付 Inventor's signature / Date	<i>Koji Ogata</i> <i>March 1, 2005</i>
住所 Residence	Kitakyushu-shi, Japan
国籍 Citizenship	Japan
郵便の宛先 Post Office Address	c/o KROSAKIHARIMA CORPORATION 1-1, Higashihama-machi, Yahatanishi-ku Kitakyushu-shi, Fukuoka, 806-8586, Japan

第二共同発明者氏名 (該当する場合) Full name of second joint inventor, if any Haruyoshi KIMURA	
第二発明者署名 / 日付 Second inventor's signature / Date 木村 温良 March 7, 2005	
住所 Residence Kimitsu-shi, Chiba, Japan	
国籍 Citizenship Japan	
郵便の宛先 Post Office Address c/o Kimitsu Branch, KROSAKI HARIMA CORPORATION 1 Kimitsu, Kimitsu-shi, Chiba, 299-1141, Japan	

第三共同発明者氏名 (該当する場合) Full name of third joint inventor, if any Donald Bruce HOOVER
第三発明者署名 / 日付 Third inventor's signature / Date Donald Bruce Hoover March 3, 2005
住所 Residence York, PA 17403, U.S.A.
国籍 Citizenship US
郵便の宛先 Post Office Address Hillock Lane 1710 York, PA 17403, U.S.A.

Docket No. F-8592

Mail Stop PCT Legal

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Koji OGATA, et al.  
Serial No. : 10/524,620  
Filed : March 17, 2005  
For : CONTINUOUS CASTING OF MOLTEN STEEL  
FOR SHEET METAL  
Group Art Unit : 1725  
Examiner : UNKNOWN  
Confirmation No. : 1484  
Customer No. : 000028107

**ATTN: MR. RAFAEL BACARES**

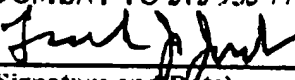
**Certificate of Facsimile Transmission Under 37 CFR 1.8**

I hereby certify that this correspondence is being transmitted in accordance with 37 CFR §1.6(d) to the United States Patent Office addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 14, 2008 to facsimile no. (571) 273-0459.

TOTAL NUMBER OF PAGES TRANSMITTED: 22

PLEASE TRANSMIT ACKNOWLEDGMENT TO 212 953 7733

Frank J. Jordan  
(Name)

 05/14/08  
(Signature and Date)

MAIL STOP PCT LEGAL  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 35 U.S.C. 1.181  
TO REVIVE AN UNAVOIDABLY ABANDONED  
APPLICATION THROUGH NO FAULT OF THE APPLICANT**



Sir:

A Notice of Abandonment was issued on July 14, 2006 indicating that this application was abandoned because of failure to respond to the Notice of Missing Parts mailed August 26, 2005. However, as applicant will document hereinafter, the required response to satisfy the Notice of Missing Parts mailed August 26, 2005 was timely filed on March 17, 2005, almost five months before the mailing date of the Notice of Missing Parts.

After receipt of the Notice of Abandonment dated July 14, 2006 applicant telephoned Ms. Mamie P. Person (Tel. No. (703) 308-9140 ext 227) at the USPTO on August 1, 2006 and informed Ms. Person that a Declaration/Power of Attorney was filed by Express Mail in the USPTO on March 17, 2005 along with a postal receipt card. Applicant also informed Ms. Person that applicant had a copy of the Express Mail label date stamped by the U.S. Postal Office on March 17, 2008 and a postal receipt card stamped by the USPTO on March 17, 2005 (copies enclosed).

Applicant was informed by Ms. Person to submit the Express Mail label, the postal receipt card, the Notice of Abandonment and the Declaration/Power of Attorney signed by all inventors to her by facsimile. All the required documents were faxed to Ms. Person on August 2, 2006 and copies thereof are enclosed.

Applicant again contacted Ms. Person on May 2, 2007 regarding the status of this application where she informed us to re-submit the documents previously sent to her on August 2, 2006. Upon her instructions, we re-submitted (for the second time) all documents faxed to Ms. Person on August 2, 2006 and these re-submitted documents were indicated as received on May 2, 2007 by the PTO PAIR System.

A third telephone call was placed to Ms. Person on January 15, 2008 regarding the status of this application and she again informed us she must have misplaced the paperwork because she did not have them and requested that the copies be faxed again to her for the third time and copies these thrice submitted documents which were faxed to the Patent Office on January 15, 2008 are enclosed.

Applicant therefore request reinstatement of the above-identified patent application and are enclosing copies of the following documents:

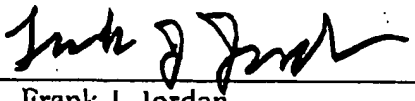
- (A) Postal receipt card (front and back) stamped "D103 Rec'd PCT/PTO 17 March 2005" as applicable to applicant's Docket No. F-8592, Serial No. 10/524,620;

- (B) Copy of the United States Express Mail Label EV 585 006 447 US with postal stamp dated March 17, 2005, as applicable to applicant's Docket No. F-8592 which corresponds to applicant's Serial No. 10/524,620;
- (C) Copy of Documents submitted to PTO on August 2, 2006, May 2, 2007, and on January 15, 2008;
- (D) PTO Notification of Abandonment dated July 14, 2006.

No fee is believed due because the abandonment did not result from any fault of the applicant as the enclosed documents prove. Therefore, the Petition is being filed Under 37 CFR 1.181. However, in the alternative, if the Petition is considered to be filed Under 37 CFR 1.137(a), if there is any fee due the USPTO is hereby authorized to charge such fee to Deposit Account No. 10-1250.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By   
Frank J. Jordan  
Reg. No. 20,456  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340

FJJ/cj

Enc. Enclosures (A), (B), (C) and (D) as listed above





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
P.O. Box 1410  
Alexandria, Virginia 22304-1410  
www.uspto.gov

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY. DOCKET NO
10/524,620	Koji OGATA	F-8592

28107  
JORDAN AND HAMBURG LLP  
122 EAST 42ND STREET  
SUITE 4000  
NEW YORK, NY 10168

INTERNATIONAL APPLICATION NO.	
PCT/JP03/10673	
I.A. FILING DATE	PRIORITY DATE
08/22/2003	08/22/2002

CONFIRMATION NO. 1484

371  
ABANDONMENT/TERMINATION  
LETTER

OC000000019621965\*

Date Mailed: 07/14/2006

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 07/26/2005, within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 3 - OFFICE COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22315-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/524,620

FIRST NAMED APPLICANT

Koji OGATA

ATTY. DOCKET NO.

F-8592

INTERNATIONAL APPLICATION NO.

PCT/JP03/10673

FILING DATE

08/22/2003

PRIORITY DATE

08/22/2002

28107

JORDAN AND HAMBURG LLP  
 122 EAST 42ND STREET  
 SUITE 4000  
 NEW YORK, NY 10168

CONFIRMATION NO. 1484

371

ABANDONMENT/TERMINATION  
LETTER

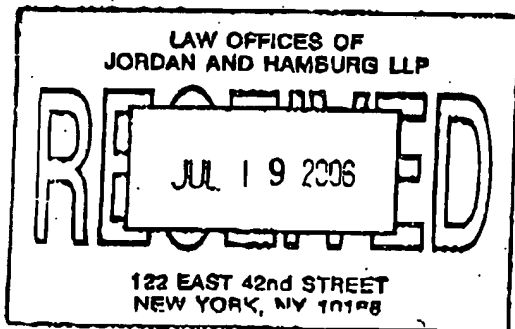
\*0C000000019621965\*

Date Mailed: 07/14/2006

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 07/26/2005 within the time period set therein.



Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

**JORDAN AND HAMBURG LLP**

Chanin Building  
122 East 42nd Street  
New York, NY 10168

Telephone: (212) 986-2340

Facsimile: (212) 953-7733

**FACSIMILE COVER SHEET**

---

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

---

TO	:	Ms. Mamie Person
FAX NO.	:	(571) 270-9985
FROM	:	Cecilia Sevilla / Frank J. Jordan
DATE	:	January 15, 2008

Re:	Docket No.	:	F-8592
	Serial No.	:	10/524,620
	Filed	:	March 17, 2005
	For	:	CONTINUOUS CASTING OF MOLTEN STEEL FOR SHEET METAL

As per our telephone conversation of today, January 15, 2008, enclosed are copies of our fax dated August 2, 2006.

We are sending 15 page(s) (including this cover sheet). Please call (212) 986-2340 immediately if transmission is interrupted or of poor quality.

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO 2693  
RECIPIENT ADDRESS 15712709985  
DESTINATION ID  
ST. TIME 08/02 10:57  
TIME USE 07'20  
PAGES SENT 22  
RESULT OK

JORDAN AND HAMBURG LLP  
Chanin Building  
122 East 42nd Street  
Suite 4000  
New York, NY 10168

Telephone: (212) 986-2340  
Facsimile: (212) 953-7733

### FACSIMILE COVER SHEET

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Mamie P. Person  
Fax No. : (571) 270-9985  
FROM : Cecilia Sevilla/Frank J. Jordan  
DATE : August 2, 2006  
Re. : Notice of Abandonment for:  
Serial No. 10/524,621  
Our Ref.: F-8591  
and  
Serial No. 10/524,620  
Our Ref.: F-8592

As per our telephone conversation of August 1, 2006, enclosed please find the following copies:

- 1) Express Mail Label EV 585 006 447 US;

\*\*\*\*\*  
 \*\*\* TX REPORT \*\*\*  
 \*\*\*\*\*

TRANSMISSION OK

TX/RX NO 1963  
 RECIPIENT ADDRESS 15712709985  
 DESTINATION ID  
 ST. TIME 05/02 11:34  
 TIME USE 03'23  
 PAGES SENT 24  
 RESULT OK

**JORDAN AND HAMBURG LLP**  
 Chanin Building  
 122 East 42nd Street  
 Suite 4000  
 New York, NY 10168

Telephone: (212) 986-2340  
 Facsimile: (212) 953-7733

**FACSIMILE COVER SHEET**

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Mamie P. Person  
 Fax No. : (571) 270-9985  
 FROM : Cecilia Sevilla/Frank J. Jordan  
 DATE : August 2, 2006  
 Re. : Notice of Abandonment for:  
 Serial No. 10/524,621  
 Our Ref.: F-8591  
 and  
 Serial No. 10/524,620  
 Our Ref.: F-8592

Re-faxed  
 May 2, 2007

As per our telephone conversation of August 1, 2006, enclosed please find the following copies:

- 1) Express Mail Label EV 585 006 447 US;

\*\*\*\*\*  
 \*\*\* TX REPORT \*\*\*  
 \*\*\*\*\*

TRANSMISSION OK

TX/RX NO 4972  
 RECIPIENT ADDRESS 15712709985  
 DESTINATION ID  
 ST. TIME 01/15 16.30  
 TIME USE 01'47  
 PAGES SENT 15  
 RESULT OK

## JORDAN AND HAMBURG LLP

Chanin Building  
 122 East 42nd Street  
 New York, NY 10168

Telephone: (212) 986-2340

Facsimile: (212) 953-7733

### FACSIMILE COVER SHEET

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Ms. Mamie Person  
 FAX NO. : (571) 270-9985  
 FROM : Cecilia Sevilla / Frank J. Jordan  
 DATE : January 15, 2008

Re: Docket No. : F-8592  
 Serial No. : 10/524,620  
 Filed : March 17, 2005  
 For : CONTINUOUS CASTING OF MOLTEN STEEL FOR SHEET METAL

As per our telephone conversation of today, January 15, 2008, enclosed are copies of our fax dated August 2, 2006.

We are sending 15 page(s) (including this cover sheet). Please call (212) 986-2340

**JORDAN AND HAMBURG LLP**

Chanin Building  
122 East 42nd Street  
Suite 4000  
New York, NY 10168

Telephone: (212) 986-2340

Facsimile: (212) 953-7733

**FACSIMILE COVER SHEET**

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Mamie P. Person  
Fax No. : (571) 270-9985  
FROM : Cecilia Sevilla/Frank J. Jordan  
DATE : August 2, 2006  
Re. : Notice of Abandonment for:  
Serial No. 10/524,621  
Our Ref.: F-8591  
and  
Serial No. 10/524,620  
Our Ref.: F-8592

*Re-faxed  
May 2, 2007*

*Re-faxed  
January 15, 2008*



As per our telephone conversation of August 1, 2006, enclosed please find the following copies:

- 1) Express Mail Label EV 585 006 447 US;
- 2) Postal Receipt card (front and back) for each application stamped, March 17, 2005, by the U.S. Patent and Trademark Office indicating that the Declaration/Power of Attorney was received in the PCT/PTO;
- 3) Copy of Declaration/Power of Attorney for each application listed above; and
- 4) Copy of Notice of Abandonment for each application.

If you should have any questions, please contact me at the above telephone number. Thank you.

We are sending 22 pages (including this cover sheet). Please call (212) 986-2340 immediately if transmission is interrupted or of poor quality.

Docket No. F-8592

Serial No. 10524620

CBH ☐ FJJ ☒

The date stamp of the Patent Office hereon may be considered as the date on which papers indicated below were received.

New Application	<input type="checkbox"/>	Dec./Power of Att.	<input checked="" type="checkbox"/>
RCE	<input type="checkbox"/>	Assignment	<input type="checkbox"/>
Supplemental Amendment	<input type="checkbox"/>	Priority Document	<input type="checkbox"/>
Preliminary Amendment	<input type="checkbox"/>	IDS/IDC	<input type="checkbox"/>
English Translation App.	<input type="checkbox"/>	Notice of Appeal	<input type="checkbox"/>
Marked Specification	<input type="checkbox"/>	Appeal Brief	<input type="checkbox"/>
Substitute Specification	<input type="checkbox"/>	Issue Fee	<input type="checkbox"/>
Letter to Draftsman/Drawings	<input type="checkbox"/>	Statement of Use	<input type="checkbox"/>
Resp. to O.A.	<input type="checkbox"/>	Section 8 and	<input type="checkbox"/>

Date of Doc. being mailed: 3/17/05  
(Patent Office. Please stamp and return to addressee on reverse side.)

DT03 Rec'd PCT/PTO 17 MAR 2005



JORDAN AND HAMBURG LLP  
122 EAST 42ND STREET  
NEW YORK, NEW YORK 10168







EV 585006447 US



Customer Co  
Label 11-F, Apr

UNITED STATES POSTAL SERVICE

Post Office To Address

ORIGIN (POSTAL SERVICE USE ONLY)		
RO ZIP Code	Day of Delivery <input type="checkbox"/> Mon <input type="checkbox"/> Tue <input type="checkbox"/> Wed <input type="checkbox"/> Thu <input type="checkbox"/> Fri <input type="checkbox"/> Sat <input type="checkbox"/> Sun	Postage \$
Date Accepted	Scheduled Date of Delivery Month Day	Return Receipt Fee \$
No. Day Year	Scheduled Time of Delivery <input type="checkbox"/> AM <input type="checkbox"/> PM	Insurance Fee \$
Time Accepted <input type="checkbox"/> AM <input type="checkbox"/> PM	Signature	Total Postage & Fees \$
Flat Rate <input type="checkbox"/> or Weight	Insurance	

DELIVERY (POSTAL USE ONLY)		
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

CUSTOMER USE ONLY  
METHOD OF PAYMENT: ☐ Cash ☐ Credit ☐ Debit ☐ Bill  
Special Notice: ☐ Yes ☐ No

Special Notice: ☐ Yes ☐ No

FROM: (Please print)  
Jordan S. Hamburg LLP  
122 E 42ND ST RM 4000  
NEW YORK NY 10017  
F-8592 F-8591 F-8590

TO: (Please print)  
MAIL STOP PO  
COMMISSIONER FOR PARENTS  
PO BOX 1450  
ALEXANDRIA VA 22313-145



FOR PICKUP OR TRACKING: Visit [www.usps.com](http://www.usps.com) or Call 1-800-222-1811



F-8592

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Koji OGATA, et al.

Serial No. : 10/524,620

For : CONTINUOUS CASTING OF MOLTEN STEEL.  
FOR SHEET METAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

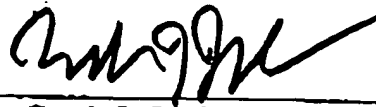
**SUBMISSION OF DECLARATION**

Sir:

The application was filed without a declaration and the declaration is submitted herewith. Please charge the \$130.00 government fee for late filing of the declaration to Deposit Account 10-1250. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,  
Jordan and Hamburg LLP

By



Frank J. Jordan  
Reg. No. 20,456  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340

Express Mail mailing label No. EV 585006447 US  
Date of Deposit: March 17, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Evelis Otero

DECLARATION OF POWER OF ATTORNEY  
特許出願宣言書及び委任状

Japanese Language Declaration  
日本語宣言書

Docket No. F-8592

As a below named inventor, I hereby declare that:

下記指名発明者として、私は以下の通り宣言します。

My residence, post office address and citizenship are as stated next to my name.

私の住所、郵便の宛先、国籍は下記の私の氏名の後に記載された通りです。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

下記の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者(下記の氏名が一つの場合)もしくは最初かつ共同発明者(下記の名称が複数の場合)であると信じます。

CONTINUOUS CASTING OF MOLTEN STEEL FOR SHEET METAL

the specification of which is attached hereto unless the following box is checked

上記発明の明細書(右に x 印がついていない場合は、本書に添付)は、

☒

was filed on:

August 22, 2003

右の日付で

as United States Application Number or PCT International Application Number

下記米国出願番号または特許協定条約国際出願番号として提出され、

PCT/JP2003/010673

and was amended on (if applicable):

(該当する場合)右の日付に補正されました。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、特許請求範囲を含む上記明細書、及び該当する場合は上記補正を確認し、内容を理解していることをここに表明します。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

私は、連邦規則法典第37編 第1条56項に定義されるとおり、特許資格の有無について関連ある情報を開示する義務があることを認めます。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(a) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

私は、米国法典第35編 119条(a)-(d)項又は365条(b)項に基づき下記の、米国以外の国の少なくとも一カ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を、以下に枠内をマークすることで、示しています。

Prior Foreign Application(s)

外国での先行出願

Priority Not Claimed

優先権主張なし

<u>2002-242731</u>	<u>Japan</u>	<u>22 August 2002</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

私は、米国法典第 35 編 119 条 (e) 項に基づいて、下記の米国特許出願規定に記載された権利をここに主張いたします。

\_\_\_\_\_  
(Application No.)

(出願番号)

\_\_\_\_\_  
(Filing Date)

(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the application.

私は、米国法典第 35 編 120 条又は特許協力条約 365 条(c)に基づいて、下記の米国特許出願又は米国を指定している PCT 国際出願に基づく権利をここに主張します。又、本出願の各請求範囲の内容で、米国法典第 35 編 112 条第 1 項で規定された方法で、先行する米国特許出願又は PCT 国際出願に開示されないものに関して、連邦規則法典第 37 編 1 条 56 項で定義された特許資格の有無に関連する情報の、その先行米国出願提出日から本出願の日本国内提出日または PCT 国際出願提出日までの期間中に公開されたものについて、開示義務があることを認識します。

\_\_\_\_\_  
(Application No.)

(出願番号)

\_\_\_\_\_  
(Filing Date)

(出願日)

\_\_\_\_\_  
(Status: Patented/Pending /Abandoned)

(現況: 特許許可済、係属中、放棄済)

\_\_\_\_\_  
(Application No.)

(出願番号)

\_\_\_\_\_  
(Filing Date)

(出願日)

\_\_\_\_\_  
(Status: Patented/Pending /Abandoned)

(現況: 特許許可済、係属中、放棄済)

\_\_\_\_\_  
(Application No.)

(出願番号)

\_\_\_\_\_  
(Filing Date)

(出願日)

\_\_\_\_\_  
(Status: Patented/Pending /Abandoned)

(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on Information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 in the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

私は、自身の知識に基づいて、本宣言書で行う表明が真実であり、かつ私の入手した情報と私の信じるところに基づく弁明が全て真実であると信じることを、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第 18 編第 1001 条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣言致します。

### POWER OF ATTORNEY

#### 委任状

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

私は指名発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁護士または代理人として、下記の者を指名いたします。(弁護士、または代理人の氏名及び登録番号を明記のこと)

Frank J. Jordan	Reg. No. 20,456
C. Bruce Hamburg	Reg. No. 22,389
Herbert F. Ruschmann	Reg. No. 35,341
Jacqueline M. Steady	Reg. No. 44,354
Lawrence Wechsler	Reg. No. 36,049
Marvin Turken	Reg. No. 18,830
Alfred D'Andrea	Reg. No. 27,752

Send Correspondence to:

書類送付先

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168

Direct Telephone Calls to: (name and phone number)

電話連絡先 (名前及び電話番号)

Frank J. Jordan  
(212) 986-2340

唯一または第一発明者 Full name of sole or first inventor	Koji OGATA
発明者署名 / 日付 Inventor's signature / Date	<i>Koji Ogata</i> <i>March 1, 2005</i>
住所 Residence	Kitakyushu-shi, Japan
国籍 Citizenship	Japan
郵便の宛先 Post Office Address	c/o KROSAKIHARIMA CORPORATION 1-1, Higashihama-machi, Yahatanishi-ku Kitakyushu-shi, Fukuoka, 806-8586, Japan

第二共同発明者氏名 (該当する場合) Full name of second joint inventor, if any Haruyoshi KIMURA	
第二発明者署名 / 日付 Second inventor's signature / Date 木村 温良 March 7, 2005	
住所 Residence Kimitsu-shi, Chiba, Japan	
国籍 Citizenship Japan	
郵便の宛先 Post Office Address c/o Kimitsu Branch, KROSAKIHARIMA CORPORATION 1 Kimitsu, Kimitsu-shi, Chiba, 299-1141, Japan	



第三共同発明者氏名 (該当する場合) Full name of third joint inventor, if any Donald Bruce HOOVER	
第三発明者署名 / 日付 Third inventor's signature / Date Donald Bruce Hoover March 3, 2005	
住所 Residence York, PA 17403, U.S.A.	
国籍 Citizenship US	
郵便の宛先 Post Office Address	Hillock Lane 1710 York, PA 17403, U.S.A.

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO 3646  
RECIPIENT ADDRESS 15712730459  
DESTINATION ID  
ST. TIME 05/14 14:55  
TIME USE 02'15  
PAGES SENT 22  
RESULT OK

Docket No. F-8592

Mail Stop PCT Legal

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Koji OGATA, et al.  
Serial No. : 10/524,620  
Filed : March 17, 2005  
For : CONTINUOUS CASTING OF MOLTEN STEEL  
FOR SHEET METAL  
Group Art Unit : 1725  
Examiner : UNKNOWN  
Confirmation No. : 1484  
Customer No. : 000028107

ATTN: MR. RAFAEL BACARES

Certificate of Facsimile Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being transmitted in accordance with 37 CFR §1.6(d) to the United States Patent Office addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 14, 2008 to facsimile no. (571) 273-0459.

TOTAL NUMBER OF PAGES TRANSMITTED: 22  
PLEASE TRANSMIT ACKNOWLEDGMENT TO 212 953 7733

Frank J. Jordan  
(Name)

Frank J. Jordan  
(Signature and Date)

05/14/08

MAIL STOP PCT LEGAL  
Commissioner for Patents

(F)

Docket No. F-8591

Mail Stop PCT Legal

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Koji OGATA, et al.  
Serial No. : 10/524,621  
Filed : March 17, 2005  
For : ANTI-ALUMINA-BUILDUP REFRACTORIES FOR  
CASTING NOZZLES  
Group Art Unit : 1725  
Examiner : UNKNOWN  
Confirmation No. : 8720  
Customer No. : 000028107

**RECEIVED**

**MAY 15 2008**

**PCT LEGAL  
ADMINISTRATION**

**ATTN: MR. RAFAEL BACARES**

**Certificate of Facsimile Transmission Under 37 CFR 1.8**

I hereby certify that this correspondence is being transmitted in accordance with 37 CFR §1.6(d) to the United States Patent Office addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 14, 2008 to facsimile no. (571) 273-0459.

**TOTAL NUMBER OF PAGES TRANSMITTED: 22**

**PLEASE TRANSMIT ACKNOWLEDGMENT TO 212 953 7733**

Frank J. Jordan  
(Name)

 05/14/08  
(Signature and Date)

MAIL STOP PCT LEGAL  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 35 U.S.C. 1.181  
TO REVIVE AN UNAVOIDABLY ABANDONED  
APPLICATION THROUGH NO FAULT OF THE APPLICANT**

(G)

Sir:

A Notice of Abandonment was issued on July 21, 2006 indicating that this application was abandoned because of failure to respond to the Notice of Missing Parts mailed August 9, 2005. However, as applicant will document hereinafter, the required response to satisfy the Notice of Missing Parts mailed August 9, 2005 was timely filed on March 17, 2005, almost five months before the mailing date of the Notice of Missing Parts.

After receipt of the Notice of Abandonment dated July 21, 2006 applicant telephoned Ms. Mamie P. Person (Tel. No. (703) 308-9140 ext 227) at the USPTO on August 1, 2006 and informed Ms. Person that a Declaration/Power of Attorney was filed by Express Mail in the USPTO on March 17, 2005 along with a postal receipt card. Applicant also informed Ms. Person that applicant had a copy of the Express Mail label date stamped by the U.S. Postal Office on March 17, 2008 and a postal receipt card stamped by the USPTO on March 17, 2005 (copies enclosed).

Applicant was informed by Ms. Person to submit the Express Mail label, the postal receipt card, the Notice of Abandonment and the Declaration/Power of Attorney signed by all inventors to her by facsimile. All the required documents were faxed to Ms. Person on August 2, 2006 and copies thereof are enclosed.

Applicant again contacted Ms. Person on May 2, 2007 regarding the status of this application where she informed us to re-submit the documents previously sent to her on August 2, 2006. Upon her instructions, we re-submitted (for the second time) all documents faxed to Ms. Person on August 2, 2006 and these re-submitted documents were indicated as received on May 2, 2007 by the PTO PAIR System.

A third telephone call was placed to Ms. Person on January 15, 2008 regarding the status of this application and she again informed us she must have misplaced the paperwork because she did not have them and requested that the copies be faxed again to her for the third time and copies these thrice submitted documents which were faxed to the Patent Office on January 15, 2008 are enclosed.

Applicant has received from the USPTO a Communication on Decision dated February 13, 2008 indicating this application remains abandoned. Applicant telephoned Ms. Rafael Bacares on March 11, 2008 who advised client to file a Petition Under 37 CFR 1.181.

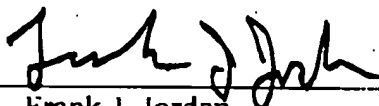
Applicant therefore request reinstatement of the above-identified patent application and are enclosing copies of the following documents:

- (A) Postal receipt card (front and back) stamped "DT03 Rec'd PCT/PTO 17 March 2005" as applicable to applicant's Docket No. F-8591, Serial No. 10/524,621;
- (B) Copy of the United States Express Mail Label EV 585 006 447 US with postal stamp dated March 17, 2005, as applicable to applicant's Docket No. F-8591 which corresponds to applicant's Serial No. 10/524,621;
- (C) Copy of Documents submitted to PTO on August 2, 2006, May 2, 2007, and on January 15, 2008;
- (D) PTO Decision dated February 13, 2008; and
- (E) PTO Notification of Abandonment dated July 21, 2006.

No fee is believed due because the abandonment did not result from any fault of the applicant as the enclosed documents prove. Therefore, the Petition is being filed Under 37 CFR 1.181. However, in the alternative, if the Petition is considered to be filed Under 37 CFR 1.137(a), if there is any fee due the USPTO is hereby authorized to charge such fee to Deposit Account No. 10-1250.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By   
Frank J. Jordan  
Reg. No. 20,456  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340

FJJ/cj

Enc. Enclosures (A), (B), (C), (D) and (E) as listed above



UNITED STATES PATENT and TRADEMARK OFFICE

13 FEB 2008

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

JORDAN AND HAMBURG LLP  
122 EAST 42<sup>ND</sup> STREET  
SUITE 4000  
NEW YORK, NY 10168

In re Application of  
OGATA et al  
Application No.: 10/524,621  
PCT No.: PCT/US2003/010474  
Int. Filing Date: 19 August 2003  
Priority Date: 20 August 2002  
Attorney Docket No.: F-8591  
For: ANTI-ALUMINA-BUILDUP REFRACTORIES  
FOR CASTING NOZZLES

DECISION

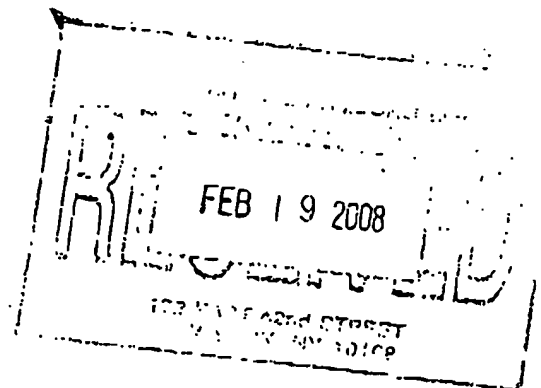
Applicants' submission on 02 May 2007 does not include a petition requesting withdrawal of the holding of abandonment or a petition for revival of the application, as would be required before further action could be taken with respect to the present abandoned application. Moreover, the submission does not include a signed communication with instructions or an explanation as to what applicants are requesting with the present submission.

Applicants' 02 May 2007 submission has been placed in the application file, but no further action will be taken thereon.

The application remains ABANDONED.



Rafael Bacaros  
PCT Legal Examiner  
PCT Legal Office  
Telephone: (571) 272-3276  
Facsimile: (571) 273-0459





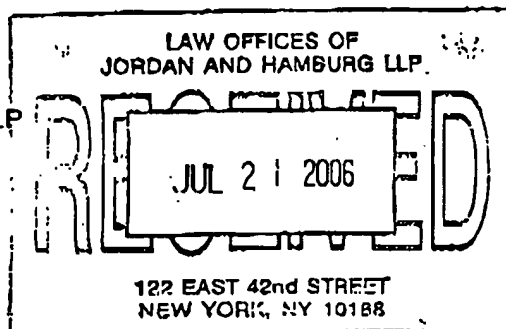


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22312-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,621	Koji Ogata	F-8591

000028107  
JORDAN AND HAMBURG LLP  
122 EAST 42ND STREET  
SUITE 4000  
NEW YORK, NY 10168



INTERNATIONAL APPLICATION NO.	
PCT/JP03/10474	
LA. FILING DATE	PRIORITY DATE
08/19/2003	08/20/2002

CONFIRMATION NO. 8720

371  
ABANDONMENT/TERMINATION  
LETTER

OC000000019661826

Date Mailed: 07/19/2006

**NOTIFICATION OF ABANDONMENT**

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 08/09/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 3 - OFFICE COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO 4971  
RECIPIENT ADDRESS 15712709985  
DESTINATION ID  
ST. TIME 01/15 16:28  
TIME USE 01:44  
PAGES SENT 14  
RESULT OK

**JORDAN AND HAMBURG LLP**

Chanin Building  
122 East 42nd Street  
New York, NY 10168

Telephone: (212) 986-2340

Facsimile: (212) 953-7733

**FACSIMILE COVER SHEET**

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Ms. Mamie Person  
FAX NO. : (571) 270-9985  
FROM : Cecilia Sevilla / Frank J. Jordan  
DATE : January 15, 2008

Re: Docket No. : F-8591  
Serial No. : 10/524,621  
Filed : March 17, 2005  
For : ANTI-ALUMINA-BUILDUP REFRACTORIES FOR  
CASTING NOZZLES

As per our telephone conversation of today, January 15, 2008, enclosed are copies of our fax dated August 2, 2006.

**JORDAN AND HAMBURG LLP**

Chanin Building  
122 East 42nd Street  
New York, NY 10168

Telephone: (212) 986-2340  
Facsimile: (212) 953-7733  
**FACSIMILE COVER SHEET**

---

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

---

TO : Ms. Mamie Person  
FAX NO. : (571) 270-9985  
FROM : Cecilia Sevilla / Frank J. Jordan  
DATE : January 15, 2008

Re: Docket No. : F-8591  
Serial No. : 10/524,621  
Filed : March 17, 2005  
For : ANTI-ALUMINA-BUILDUP REFRACTORIES FOR  
CASTING NOZZLES

As per our telephone conversation of today, January 15, 2008, enclosed are copies of our fax dated August 2, 2006.

We are sending 14 page(s) (including this cover sheet). Please call (212) 986-2340 immediately if transmission is interrupted or of poor quality.

**JORDAN AND HAMBURG LLP**

Chanin Building  
122 East 42nd Street  
Suite 4000  
New York, NY 10168

Telephone: (212) 986-2340

Facsimile: (212) 953-7733

**FACSIMILE COVER SHEET**

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Mamie P. Person  
Fax No. : (571) 270-9985  
FROM : Cecilia Sevilla/Frank J. Jordan  
DATE : August 2, 2006  
Re. : Notice of Abandonment for:  
Serial No. 10/524,621  
Our Ref.: F-8591  
and  
Serial No. 10/524,620  
Our Ref.: F-8592

Re-faxed  
May 2, 2007

Re-faxed  
January 15, 2008

As per our telephone conversation of August 1, 2006, enclosed please find the following copies:

- 1) Express Mail Label EV 585 006 447 US;
- 2) Postal Receipt card (front and back) for each application stamped, March 17, 2005, by the U.S. Patent and Trademark Office indicating that the Declaration/Power of Attorney was received in the PCT/PTO;
- 3) Copy of Declaration/Power of Attorney for each application listed above; and
- 4) Copy of Notice of Abandonment for each application.

If you should have any questions, please contact me at the above telephone number. Thank you.

We are sending 22 pages (including this cover sheet). Please call (212) 986-2340 immediately if transmission is interrupted or of poor quality.

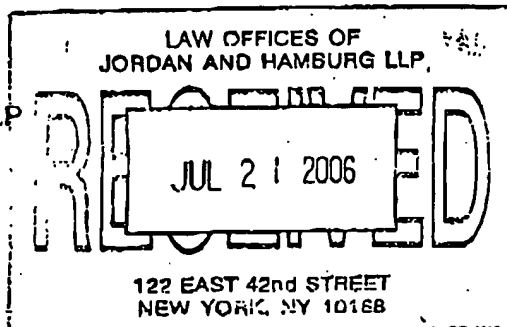


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,621	Koji Ogata	F-8591

000028107  
JORDAN AND HAMBURG LLP  
122 EAST 42ND STREET  
SUITE 4000  
NEW YORK, NY 10168



INTERNATIONAL APPLICATION NO.	
PCT/JP03/10474	
I.A. FILING DATE	PRIORITY DATE
08/19/2003	08/20/2002

CONFIRMATION NO. 8720

371  
ABANDONMENT/TERMINATION  
LETTER

\*OC000000019661826\*

Date Mailed: 07/19/2006

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 08/09/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 3 - OFFICE COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

Docket No. F-8591

Serial No. 10/524,621

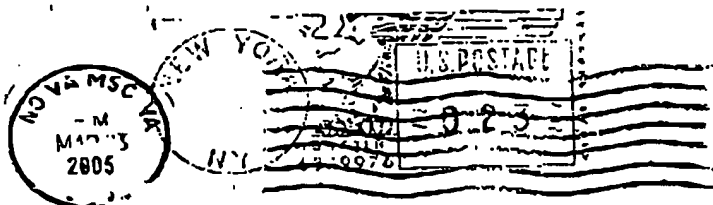
CBH ☐ FIVE ☒

The date stamp of the Patent Office hereon may be considered as the date on which papers indicated below were received.

New Application	<input type="checkbox"/>	Dec./Power of Att.	<input checked="" type="checkbox"/>
RCE	<input type="checkbox"/>	Assignment	<input type="checkbox"/>
Supplemental Amendment	<input type="checkbox"/>	Priority Document	<input type="checkbox"/>
Preliminary Amendment	<input type="checkbox"/>	IDS/IDC	<input type="checkbox"/>
English Translation App.	<input type="checkbox"/>	Notice of Appeal	<input type="checkbox"/>
Marked Specification	<input type="checkbox"/>	Appeal Brief	<input type="checkbox"/>
Substitute Specification	<input type="checkbox"/>	Issue Fee	<input type="checkbox"/>
Letter to Draftsman/Drawings	<input type="checkbox"/>	Statement of Use	<input type="checkbox"/>
Resp. to O.A.	<input type="checkbox"/>	Section 8 and	<input type="checkbox"/>




Date of Doc. being mailed: 3/17/05  
(Patent Office. Please stamp and return to addressee on reverse side.)

DT03 Rec'd PCT/PTO 17 MAR 2005



JORDAN AND HAMBURG LLP  
122 EAST 42ND STREET  
NEW YORK, NEW YORK 10168



 <b>EV 585006447 US</b>		 <b>EXPRESS MAIL</b> UNITED STATES POSTAL SERVICE®		Customer Care Label 38-F, April 2007
<b>ORIGIN (POSTAL SERVICE USE ONLY)</b>		<b>DELIVERY (POSTAL USE ONLY)</b>		
PO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> End <input type="checkbox"/> 2nd Bus Day	Postage \$	Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature
Date Accepted	Scheduled Date of Delivery	Receipt Fee \$	Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature
Mo. Day Year	Month Day	Insurance Fee \$	Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature
Time Accepted <input type="checkbox"/> AM <input type="checkbox"/> PM	Scheduled Time of Delivery <input type="checkbox"/> Noon <input type="checkbox"/> PM	Total Postage & Fees \$		
Rate <input type="checkbox"/> or Weight	Rate <input type="checkbox"/> or Weight			
CUSTOMER USE ONLY		CUSTOMER USE ONLY		
FROM: ORIGINATOR		TO: DELIVER TO:		
JORDAN & HAMBURG LLP 122 E 42ND ST RM 1000 NEW YORK NY 10168		MAIL STOP PO BOX 1450 COMMISSIONER FOR PARENTS ALEXANDRIA VA 22313-1450		
F-8592 / F-8591 / F-8590				
FOR PICKUP OR TRACKING: Visit <a href="http://WWW.USPS.COM">WWW.USPS.COM</a> or Call 1-800-222-1811				



F-8591

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Koji OGATA, et al.  
Serial No. : 10/524,621  
For : ANTI-ALUMINA-BUILDUP REFRACTORIES  
FOR CASTING NOZZLES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF DECLARATION**

Sir:

The application was filed without a declaration and the declaration is submitted herewith. Please charge the \$130.00 government fee for late filing of the declaration to Deposit Account 10-1250. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,

Jordan and Hamburg LLP

By 

Frank J. Jordan  
Reg. No. 20,456  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340

Express Mail mailing label No. EV 585006447 US  
Date of Deposit: March 17, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Evelis Otero



( ) ( )

**DECLARATION OF POWER OF ATTORNEY**  
**特許出願宣言書及び委任状**

**Japanese Language Declaration**  
**日本語宣言書**

Docket No. F-8591

As a below named inventor, I hereby declare that:  
下記指名発明者として、私は以下の通り宣言します。

My residence, post office address and citizenship are as stated next to my name.  
私の住所、郵便の宛先、国籍は下記の私の氏名の後に記載された通りです。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

下記の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者(下記の氏名が一つの場合)もしくは最初かつ共同発明者(下記の名称が複数の場合)であると信じます。

**ANTI-ALUMINA-BUILDUP REFRACTORIES FOR CASTING NOZZLES**

the specification of which is attached hereto unless the following box is checked  
上記発明の明細書(右に x 印がついていない場合は、本書に添付)は、 ☒

was filed on:

右の日付で August 19, 2003

as United States Application Number or PCT International Application Number

下記米国出願番号または特許協定条約国際出願番号として提出され、

PCT/JP2003/010474

and was amended on (if applicable):

(該当する場合)右の日付に補正されました。 \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、特許請求範囲を含む上記明細書、及び該当する場合は上記補正を確認し、内容を理解していることをここに表明します。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

私は、連邦規則法典第 37 編 第 1 条 56 項に定義されるとおり、特許資格の有無について関連ある情報を開示する義務があることを認めます。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

私は、米国法典第 35 編 119 条 (a) - (d) 項又は 365 条 (b) 項に基づき下記の、米国以外の国の少なくとも一カ国を指定している特許協力条約 365 (a) 項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を、以下に枠内をマークすることで、示しています。

Prior Foreign Application(s)

外国での先行出願

Priority Not Claimed

優先権主張なし

<u>2002-239940</u>	<u>Japan</u>	<u>20 August 2002</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

私は、米国法典第 35 編 119 条 (e) 項に基づいて、下記の米国特許出願規定に記載された権利をここに主張いたします。

\_\_\_\_\_  
(Application No.)

(出願番号)

\_\_\_\_\_  
(Filing Date)

(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the application.

私は、米国法典第 35 編 120 条又は特許協力条約 365 条(c)に基づいて、下記の米国特許出願又は米国を指定している PCT 国際出願に基づく権利をここに主張します。又、本出願の各請求範囲の内容で、米国法典第 35 編 112 条第 1 項で規定された方法で、先行する米国特許出願又は PCT 国際出願に開示されないものに関して、連邦規則法典第 37 編 1 条 56 項で定義された特許資格の有無に関連する情報の、その先行米国出願提出日から本出願の日本国内提出日または PCT 国際出願提出日までの期間中に公開されたものについて、開示義務があることを認識します。

\_\_\_\_\_  
(Application No.)

(出願番号)

\_\_\_\_\_  
(Filing Date)

(出願日)

\_\_\_\_\_  
(Status: Patented/Pending /Abandoned)

(現況: 特許許可済、係属中、放棄済)

\_\_\_\_\_  
(Application No.)

(出願番号)

\_\_\_\_\_  
(Filing Date)

(出願日)

\_\_\_\_\_  
(Status: Patented/Pending /Abandoned)

(現況: 特許許可済、係属中、放棄済)

\_\_\_\_\_  
(Application No.)

(出願番号)

\_\_\_\_\_  
(Filing Date)

(出願日)

\_\_\_\_\_  
(Status: Patented/Pending /Abandoned)

(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 in the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

私は、自身の知識に基づいて、本宣誓書中で行う表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣言致します。

### POWER OF ATTORNEY:

#### 委任状

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)  
私は指名発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁護士または代理人として、下記の者を指名いたします。(弁護士、または代理人の氏名及び登録番号を明記のこと)

Frank J. Jordan	Reg. No. 20,456
C. Bruce Hamburg	Reg. No. 22,389
Herbert F. Ruschmann	Reg. No. 35,341
Jacqueline M. Steady	Reg. No. 44,354
Lawrence Wechsler	Reg. No. 36,049
Marvin Turken	Reg. No. 18,330
Alfred D'Andrea	Reg. No. 27,752

Send Correspondence to:

書類送付先

Jordan and Hamburg LLP  
122 East 42<sup>nd</sup> Street  
New York, New York 10168

Direct Telephone Calls to: (name and phone number)

電話連絡先 (名前及び電話番号)

Frank J. Jordan  
(212) 986-2340

唯一または第一発明者 Full name of sole or first inventor Koji OGATA	
発明者署名 / 日付 Inventor's signature / Date <i>Koji Ogata</i> <i>March 1, 2005</i>	
住所 Residence Kitakyushu-shi, Japan	
国籍 Citizenship Japan	
郵便の宛先 Post Office Address	c/o KROSAKIHARIMA CORPORATION 1-1, Higashihama-machi, Yahatanishi-ku Kitakyushu-shi, Fukuoka, 806-8586, Japan

第二共同発明者氏名 (該当する場合) Full name of second joint inventor, if any Donald Bruce HOOVER
第二発明者署名 / 日付 Second inventor's signature / Date Donald B. Hoover March 3, 2005
住所 Residence York, PA 17403, U.S.A.
国籍 Citizenship US
郵便の宛先 Post Office Address Hillock Lane 1710 York, PA 17403, U.S.A.

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO 2693  
RECIPIENT ADDRESS 15712709985  
DESTINATION ID  
ST. TIME 08/02 10:57  
TIME USE 07'20  
PAGES SENT 22  
RESULT OK

JORDAN AND HAMBURG LLP  
Chanin Building  
122 East 42nd Street  
Suite 4000  
New York, NY 10168

Telephone: (212) 986-2340  
Facsimile: (212) 953-7733

### FACSIMILE COVER SHEET

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Mamie P. Person  
Fax No. : (571) 270-9985  
FROM : Cecilia Sevilla/Frank J. Jordan  
DATE : August 2, 2006  
Re. : Notice of Abandonment for:  
Serial No. 10/524,621  
Our Ref.: F-8591  
and  
Serial No. 10/524,620  
Our Ref.: F-8592

As per our telephone conversation of August 1, 2006, enclosed please find the following copies:

- 1) Express Mail Label EV 585 006 447 US;

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO 1963  
RECIPIENT ADDRESS 15712709985  
DESTINATION ID  
ST. TIME 05/02 11:34  
TIME USE 03'23  
PAGES SENT 24  
RESULT OK

JORDAN AND HAMBURG LLP  
Chanin Building  
122 East 42nd Street  
Suite 4000  
New York, NY 10168

Telephone: (212) 986-2340  
Facsimile: (212) 953-7733

### FACSIMILE COVER SHEET

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is privileged and confidential, intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed above via the United States Postal Service. We will reimburse for postage on all such returned messages.

TO : Mamie P. Person  
Fax No. : (571) 270-9985  
FROM : Cecilia Sevilla/Frank J. Jordan  
DATE : August 2, 2006  
Re. : Notice of Abandonment for:  
Serial No. 10/524,621  
Our Ref.: F-8591  
and  
Serial No. 10/524,620  
Our Ref.: F-8592

Re-faxed  
May 2, 2007

As per our telephone conversation of August 1, 2006, enclosed please find the following copies:

- 1) Express Mail Label EV 585 006 447 US;



\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO	3645
RECIPIENT ADDRESS	15712730459
DESTINATION ID	
ST. TIME	05/14 14:53
TIME USE	02'19
PAGES SENT	22
RESULT	OK

Docket No. F-8591

Mail Stop PCT Legal

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Koji OGATA, et al.  
Serial No. : 10/524,621  
Filed : March 17, 2005  
For : ANTI-ALUMINA-BUILDUP REFRACTORIES FOR  
CASTING NOZZLES  
Group Art Unit : 1725  
Examiner : UNKNOWN  
Confirmation No. : 8720  
Customer No. : 000028107

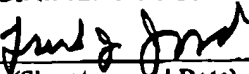
**ATTN: MR. RAFAEL BACARES**

**Certificate of Facsimile Transmission Under 37 CFR 1.8**

I hereby certify that this correspondence is being transmitted in accordance with 37 CFR §1.6(d) to the United States Patent Office addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 14, 2008 to facsimile no. (571) 273-0459.

TOTAL NUMBER OF PAGES TRANSMITTED: 22  
PLEASE TRANSMIT ACKNOWLEDGMENT TO 212 953 7733

Frank J. Jordan  
(Name)

  
(Signature and Date)

05/14/08

MAIL STOP PCT LEGAL  
Commissioner for Patents

(H)

10/524,620 Continuous casting of molten steel for sheet metal

08-05-  
2008::16:45:57

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click PDF.

**Bibliographic Data**

Mail Room Date	Document Code	Document Description	Document Category	Page Count
05-02-2007	LET.	Miscellaneous Incoming Letter	PROSECUTION	6
05-02-2007	PA..	Power of Attorney	PROSECUTION	7
07-14-2006	IMIS	Miscellaneous Internal Document	PROSECUTION	1
07-14-2006	CTMS	Miscellaneous Action with SSP	PROSECUTION	1
07-26-2005	M905	Notice of DO/EO Missing Requirements Mailed	PROSECUTION	2
06-15-2005	L_R OUT	Any document coming from L&R	PROSECUTION	10
03-17-2005	LET.	Miscellaneous Incoming Letter	PROSECUTION	1
02-15-2005	TRNA	Transmittal of New Application	PROSECUTION	6
02-15-2005	SPEC	Specification	PROSECUTION	11
02-15-2005	CLM	Claims	PROSECUTION	1
02-15-2005	ABST	Abstract	PROSECUTION	1
02-15-2005	DRW	Drawings-only black and white line drawings	PROSECUTION	1
02-15-2005	IMIS	Miscellaneous Internal Document	PROSECUTION	2
02-15-2005	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	2
02-15-2005	IDS	Information Disclosure Statement (IDS) Filed (SB/08)	PROSECUTION	1
02-15-2005	FOR	Foreign Reference	PRIOR ART	6
02-15-2005	FOR	Foreign Reference	PRIOR ART	6
02-15-2005	FOR	Foreign Reference	PRIOR ART	7
02-15-2005	NPL	NPL Documents	PRIOR ART	1
02-15-2005	FRPR	Certified Copy of Foreign Priority Application	PROSECUTION	19
02-15-2005	ADS	Application Data Sheet	PROSECUTION	4
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	17
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	4
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	3
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	1
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	1
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	1
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	1
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	5

[Close Window](#)

10/524,621 Anti-alumina-buildup refractories for casting nozzles

08-12-  
2008::10:20:29

**This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click PDF.**

**Bibliographic Data**

Mail Room Date	Document Code	Document Description	Document Category	Page Count
08-07-2008	PET.OP	<b>Petition for review by the Office of Petitions.</b>	PROSECUTION	8
06-09-2008	PET.DEC.OIPE	Petition decision routed to the OIPE to act on the decision or continue prosecution.	PROSECUTION	3
05-15-2008	PET.PCT	Petition for review and processing by the PCT legal office.	PROSECUTION	48
02-13-2008	PETDEC	Petition Decision	PROSECUTION	1
05-02-2007	LET.	Miscellaneous Incoming Letter	PROSECUTION	5
05-02-2007	OATH	Oath or Declaration filed	PROSECUTION	6
07-19-2006	CTMS	Miscellaneous Action with SSP	PROSECUTION	1
07-19-2006	IMIS	Miscellaneous Internal Document	PROSECUTION	1
08-09-2005	M905	Notice of DO/EO Missing Requirements Mailed	PROSECUTION	2
06-15-2005	L_R OUT	Any document coming from L&R	PROSECUTION	10
02-15-2005	TRNA	Transmittal of New Application	PROSECUTION	6
02-15-2005	SPEC	Specification	PROSECUTION	8
02-15-2005	CLM	Claims	PROSECUTION	1
02-15-2005	ABST	Abstract	PROSECUTION	1
02-15-2005	IMIS	Miscellaneous Internal Document	PROSECUTION	1
02-15-2005	IMIS	Miscellaneous Internal Document	PROSECUTION	1
02-15-2005	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
02-15-2005	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
02-15-2005	WCLM	Claims Worksheet (PTO-2022)	PROSECUTION	1
02-15-2005	IDS	Information Disclosure Statement (IDS) Filed (SB/08)	PROSECUTION	1
02-15-2005	FOR	Foreign Reference	PROSECUTION	7
02-15-2005	FOR	Foreign Reference	PROSECUTION	12
02-15-2005	FOR	Foreign Reference	PROSECUTION	10
02-15-2005	FOR	Foreign Reference	PROSECUTION	13
02-15-2005	FRPR	Certified Copy of Foreign Priority Application	PROSECUTION	16
02-15-2005	ADS	Application Data Sheet	PROSECUTION	3
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	15
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	7
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	1
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	1
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	1
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	1
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	1
02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	4



02-15-2005	371P	Documents submitted with 371 Applications	PROSECUTION	2
------------	------	---	-------------	---

---

**Close Window**

